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**EXTRACT FROM THE EXPERT JUDGMENT OF
MEDIA ETHICS OBSERVATORY
ON COMPLAINTS BY ANNA ZHAMAKOCHIAN AND COALITION
AGAINST VIOLENCE AGAINST WOMEN
ON “DANGEROUS SILENCE” PROGRAM OF “AJAR WINDOWS”
TALK SHOW CYCLE OF ATV CHANNEL**

Anna Zhamakochian and Coalition Against Violence Against Women filed complaints to Media Ethics Observatory against “Dangerous Silence” program of “Ajar Windows” talk show cycle broadcasted on March 22, 2016 by ATV channel. The program guest was Vladik Martirosyan.

Several months later, on July 8, 2016, Taguhi Mansuryan, the ex-wife of the program guest, and her parents were hacked with axe in Yerevan. The mother of the woman died, while Taguhi and her father were transferred to the resuscitation department of hospital. On suspicion of having committed the crime Vladik Martirosyan was detained. Preliminary investigation on the case is in progress. Taking into consideration the fact that the tragedy that happened drew public attention to the relationships of the program guest and his former family, MEO decided to discuss the complaints by Anna Zhamakochian and the NGO which are concerned with the incident, not being parties of the family conflict.

Media Ethics Observatory also applied to the management of ATV channel suggesting to be present at the discussion of those complaints and introduce their positions. In response, the TV company sent a letter to MEO with the signature of “Ajar Windows” program cycle host. The letter described the incident and expressed condolences to the family that had lived a tragedy.

The complaints were discussed at the July 25, 2016 MEO session.

A. Facts

1. Vladik Martirosyan, the guest of the “Dangerous Silence” program of “Ajar Windows” talk show cycle broadcasted on March 22, 2016 by ATV channel, had previously received suspended sentence of six months for using violence against his ex-wife.
2. At the program private information on the guest and his ex-wife, as well

as secret audio recordings were presented.

B. Legislative and Ethical Norms

1. Article 7 (“Restrictions to the Right to Freedom of Speech in the Sphere of Communication”) of the RA Law “On Mass Communication”: “It is prohibited to disseminate information obtained through video and audio recording conducted without notifying the person on the fact, or recording, when the person expected to be out of sight or earshot of the implementer of video and audio recording and has taken sufficient measures to ensure it, with the exception of cases, when such measures were obviously not sufficient. The dissemination of information related to one’s personal or family life as well as those mentioned in the second part of this Article is allowed if it is necessary for the protection of public interest” (p. 2); “The dissemination of information related to one’s personal or family life as well as those mentioned in the second part of this Article is allowed if it is necessary for the protection of public interest” (p. 3).

2. Principle 1 (“Accuracy and Impartiality”) of the Code of Ethics of Armenian Media and Journalists: “Prior to publishing, to check the accuracy of information from any source, not to conceal or distort facts, and not to publish obviously false information” (p. 1.1); “To rely on accurate facts and trustworthy information when making analysis and comments” (p. 1.4).

3. Principle 4 of the Code of Ethics of Armenian Media and Journalists: “To respect and protect the human right to private life, including respect to personal and family life, residence, property, health condition, correspondence. Only public interest or protection thereof can justify publication of information regarding the privacy of high rank officials, public figures, and individuals aspiring to power or public attention” (p. 4.1); “In case of a conflict between the freedom of expression and other fundamental human rights, the media independently decides what to give preference to, and bears responsibility for its decision” (p. 4.2).

C. Conclusion

1. MEO considers that having given preference to the curiosity of the audience towards such topics, the TV channel neglected the right to one’s privacy, particularly that of Taguhi Mansuryan. Such interference cannot be justified by the fact that Vladik Martirosyan, the other party of the conflict, had agreed to disclose the details of their private life.

2. The position of the other party was missing in the program. The editorial staff of the program had tried to contact Taguhi Mansuryan and her mother, but they had refused to talk. It is unacceptable that the host of the TV show presented their refuse from a negative angle, as everyone has the right not to talk about his/her private life. The remarks of the psychologist present at the program, who in fact defended Taguhi Mansuryan, cannot be considered as opinion of the other party of conflict, since it was not evident that the specialist was authorized to speak on behalf of the woman. In cases where it is not possible to ensure the presence of the other party, it is more correct to abandon the shooting of the program, as under such circumstances it cannot serve public interest.

3. Secret audio recordings were twice used during the program. It should be reminded that according to the above-mentioned provision of the RA Law “On Mass Communication”, the dissemination of such recordings in the media is prohibited, unless it is necessary for the protection of public interest.

4. MEO calls on the management of ATV channel to be especially delicate with the coverage of such topics in the future and be guided by the RA legislation and common ethical norms.

***Adopted at the MEO session of July 25, 2016
In the following composition:***

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[Media Ethics Observatory](#) was established by the media, joining the self-regulation initiative, which make 43 as of today. In its judgments MEO is guided by Code of Ethics of Armenian Media and Journalists, adopted at the self-regulation body’s meeting on March 10, 2007, and revised on May 16, 2015.